

Service Date: October 16, 2002

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

* * * * *

IN THE MATTER OF WHITEHALL)	UTILITY DIVISION
WIND, LLC, Petition for QF Rate)	
Determination)	DOCKET NO. D2002.8.100
)	ORDER NO. 6444a

INTERIM PROTECTIVE ORDER

The procedural schedule in the above-entitled matter allows little time for incidentals. The PSC determines the most appropriate way to handle the matter is through waiver of the PSC protective order rules and issuance of an interim protective order.

The PSC determines that information, requested by PSC staff, Montana Consumer Counsel staff, Whitehall Wind, NorthWestern Energy, or any intervenor during audits, discovery, or other activity related to the above-entitled matter, which is viewed in good faith by Whitehall Wind or NorthWestern Energy as properly subject to protection from public disclosure as trade secret pursuant to § 69-3-105, MCA, and related provisions, or subject to privacy pursuant to Art. II, § 10, Mont. Const., will be submitted in accordance with this Order and be treated as "confidential information" under the terms of this Order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030.

Within 5 days of providing the information in under this interim protective order the provider must file a motion in accordance with PSC protective order rules for a final protective order to govern access to the information which has been protected on an interim basis.

Done and dated this 8th day of October, 2002, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

NOTE: There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008.